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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/609,552	06/30/2000	Michael F. Murray		1749
26948	7590	08/11/2004	EXAMINER	
ELLIS & VENABLE, PC 101 NORTH FIRST AVE. SUITE 1875 PHOENIX, AZ 85003			ART UNIT	PAPER NUMBER

DATE MAILED: 08/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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09 | 609,552

EXAMINER
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Commissioner for Patents

**NOTIFICATION OF NON-COMPLIANCE WITH THE REQUIREMENTS OF 37 CFR 1.192(c)**

The brief does not contain a concise statement of the issues presented for review as required by 37 CFR 1.192(c)(6). Appellant lists claims 1-8 and 10-19 as anticipated; with claim 9 as obvious. Claims 2-13 are canceled in the instant application, thus no rejection is possible for such claims. Additionally claim 1 is not subject to an anticipation rejection as set forth on page 6 of the appeal brief.

The rejection of claims 1, 14-23 and 25-33 stand or fall together because appellant's brief does not include a statement that this grouping of claims does not stand or fall together and reasons in support thereof. See 37 CFR 1.192(c)(7).

Appellant is required to comply with provisions of 37 CFR 1.192(c).

To avoid dismissal of the appeal, Appellant must comply with the provisions of 37 CFR 1.192(c) within the longest of any of the following TIME PERIODS: (1) ONE MONTH or THIRTY DAYS, whichever is longer, from the mailing of this communication; (2) within the time period for reply to the action from which appeal has been taken; or (3) within two months from the date of the notice of appeal under 37 CFR 1.191. Extensions of these time periods may be granted under 37 CFR 1.136.

Russell Travers, J.D., Ph.D.  
Primary Examiner  
Art Unit: 1617